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## OPPOSITION TO BRYAN

EASTERN FORCES SHOW HAND  
IN NEXT CAMPAIGN.

## STRENGTH OF MR. BRYAN

Hearst Forces and Ryan-Belmont  
Crowd Hope to Defeat Westerner  
For Nomination—Independence  
League Active.

Washington, Feb. 20.—A two-fold movement has been started in the east to undermine the ascendancy which William J. Bryan has regained in his own party.

The Ryan-Belmont crowd of Wall street has once more raised the "safe and sane" banner which many believed had gone down for the last time in the Alton B. Parker catastrophe. The other part of the movement is in no way related to the Ryan-Belmont manipulations, since it finds its parent in William Randolph Hearst and the Independence League, the latter being the organization which first sponsored Hearst's recent candidacy for governor of New York.

The political experts of Washington adhere to the proposition that you cannot make a live one out of two dead ones, and, inasmuch as even in death there is little possibility of union between Hearst followers and the Ryan-Belmont outfit, the possibilities of much actual strength being centered behind either of these elements are not regarded as very great or particularly menacing to Mr. Bryan.

However, there is much political talk on the subject and undoubtedly there will be more discussion as the opportunity is presented for Republican newspapers to commence their old-time harping about Democratic discord.

Bryan's friends have organized thoroughly in many states in his behalf. The five New England states have been bunched into one organization under the name of the New England Progressive Democratic League.

Alexander Troup of Connecticut, former national committeeman from that state, and George Fred Williams of Massachusetts, are the controlling spirits in the organization. They are not working in Bryan's name because Mr. Bryan has not authorized the use of his name as yet in the presidential connection. But if the league controls the New England delegations in 1908—and it undoubtedly will—the votes are to go to Bryan or to Bryan's candidate.

Mayor Tom L. Johnson of Cleveland has the reins in Ohio in Bryan's interest. In Illinois, Millard F. Dunlap, former treasurer of the Democratic Committee, Judge E. O. Thompson of Aconville, and Theodore Nelson, former secretary of the national committee are actively at work.

It is unnecessary to speak of Missouri, Kansas, Nebraska, Iowa, Arkansas and Texas. These, and practically all the far western states, can be reckoned of the Bryan stamp of Democracy, once the Bryan standard is raised.

The Independence League is most busy in New York, Connecticut, New Jersey, Illinois, Indiana and Texas. Charles A. Walsh of Iowa former secretary of the Democratic committee, is doing the field work. The purpose is to get national delegates friendly to Hearst or the Independence League ideas, but who will be sent to the national convention without specific instructions.

Mr. Hearst, after his defeat in New York, announced that he would not again be a candidate for office. But it is an unquestioned fact that the Independence League is at work to establish itself as a national organization.

There is no disposition to discount Hearst's personal statement of abnegation, though there is every reason

to believe that the Independence League is tearing his lightning rod to invite all the presidential lightning that may strike in his vicinity. There is no telling what will happen in the Democratic convention if Mr. Bryan decides not to run again.

The chief asset of the Ryan-Belmont interests in the past has been the "safe and sane" shibboleth, a motto which conspicuously failed to gain popular adherents to conservatism when put in competition with the Roosevelt kind of radicalism. The assets are the same now. And hence, as it is difficult to estimate the present strength of such conservatism, definite information is difficult to obtain regarding the progress made by the Ryan-Belmont combination.

The name of Woodrow Wilson, president of Princeton University, has been tentatively advanced as a conservative candidate though the suggestion has not at any time been more than tentative. Conservatism has its strongest hold in the south, in the political heirs and assigns of Gorman in Maryland. In the strength of Henry G. Davis in West Virginia, and, to a certain extent, in the personal power of Democratic politicians in New York and Pennsylvania, men like National Committeeman Guffey of the latter state.

The more careful the survey made of Democratic national politics, the more certain does it become that opposition to Mr. Bryan has little appearance of practical working strength. Hearst is strong and has popular backing almost wholly in the labor element in the big cities, and it is questionable, also, if Mr. Bryan is second to him with this element. A candidate like Woodrow Wilson, politicians think, would have the same serious weakness that Parker had—the absolute lack of popular attributes.

You can not get an audience of voters to cheer by telling them that their candidate is a great lawyer and judge or that he has been a great intellectual force in the country as the president of a university.

### OKLAHOMA GIRL MISSING.

Edith Lord of Perry Missing Since Last Saturday.

Perry, Okla., Feb. 19.—Early last Saturday morning Edith Lord, the 14-year-old daughter of Ed Lord, disappeared from home and up to this time no trace of her whereabouts has been found. She has been living at the home of a Mr. Rose in north Perry and staying in Dr. Keeler's office on Saturdays. Saturday morning as she left the Rose home she said she was going to the doctor's office. She did not show up there all day however and in the evening her parents being notified a search was instituted.

All day yesterday communication was kept up with surrounding towns and the only possible clue discovered was from Ponca City. Here a party who said he was a tailor called at the Planters Hotel and asked for a girl from Perry who was to meet him there. Officers there are on the lookout for her. Associates of the girl here all disclaim any knowledge of where she has gone.

Edith is a pretty girl of medium brown hair, brown eyes and weighs about 125 pounds. Her parents can assign no reason for her leaving home except that she may have gone away with some fellow.

### Bill to Distribute Tribal Funds.

Washington, Feb. 20.—The senate has passed the bill providing for allotment and disposition of tribal funds. It directs the secretary of the interior to pay to any Indian whom he considers capable of managing his own affairs his share of the trust funds of his tribe. It is also provided that any Indian who is blind, crippled or decrepit or helpless from old age, shall receive his share of tribal funds. The bill passed the house at the last session of congress. The senate also passed the house bill providing for the commutation for township purposes of homestead entries in the Kiowa pasture country recently opened to settlement.

### Wife Dies of Grief.

Nashville, Tenn., Feb. 20.—Walter Wilcox, a miner at work in the Red Hill mines, near Tracy City, was killed Saturday by falling slate, and his body was recovered Sunday. When the body was taken out of the mines his wife was overcome with grief, and died a few hours later.

## EVELYN THAW ON STAND JEROME WILL BE A TERROR

By Associated Press.

New York, Feb. 20.—There was a great rush of curious persons this morning anxious to see Evelyn Thaw under the ordeal of cross examination.

Her face was slightly flushed as she took the stand. Delmas seated himself close beside the witness box.

That Jerome does not intend to spare Mrs. Thaw's feelings is shown by his close questioning as to the exact manner of her posing for artists. He did not mince words. Jerome showed the witness two photographs of herself, one taken in 1901, in a kimono, which she said defendant had given her.

Thaw was not present when this one was taken.

The second photograph was taken in 1901. In it she wore a red cape which she said White had given her. Jerome interrogated her sharply as to details of her dress when she posed. "Was there any exposure of person, I would ask."

Replied the witness, "I posed in Greek dress and Turkish costume, I posed with low neck draperies after I had been on the stage."

She admitted taking photographs to a magazine before she went on the stage. They printed under her name Evelyn Florence and later her mother gave other photographs to reporters.

Witness said read the letter from Teed Matkos, vaudeville manager, but Delmas would not let her answer the question as to whether or not they had been burned.

It developed that forty-two letters which were introduced yesterday were written by White to another girl.

Jerome asked where White's letters were.

Jerome demanded the production of the letters.

Thaw's counsel made no response. "Was there a single word of impropriety or indecency in White's letters to you?"

"I don't remember."

"Have you a copy of the letter you wrote to White from Bonlogne?"

"No."

"Do you remember its contents?"

"No."

Mrs. Thaw fenced with Jerome skillfully.

Jerome began an attack on Evelyn Thaw's story by asking her how long she was conscious in 24th street. Later Jerome said he would like to have Mrs. Holman's testimony. "But you know where she is?"

"Your mother came for you every night?" "Yes, until I met White."

She said Edna Goodrich had instructed her to White. Mrs. Thaw told of yachting with James A. Garland and her mother. Jerome asked if it was not true that Garland was getting a divorce and that she and her mother quarreled about him. "No, indeed," replied the witness, indignantly stamping her foot.

Jerome asked if he had been named as co-defendant in the Garland divorce case, Delmas objected. The question was withdrawn. Mrs. Thaw denied she ever had a cast of her nude figure.

This afternoon Delmas allowed twelve checks to be endorsed by Evelyn Nesbit and her mother to go in evidence. Mrs. Thaw testified the checks represented money furnished by White.

## ARE MEMBERS FIVE CIVILIZED TRIBES CITIZENS OF THE U. S.

Editor Ardmoreite:

Col. Geo. A. Murphy in his article on the removal of restrictions in Sunday's Phoenix, lays considerable stress on the act of congress of March 3, 1901, which it is affirmed, makes every Indian in Indian Territory a citizen of the United States. If they are still wards of the government then Col. Murphy would confess that congress might pass any act it pleases affecting their lands.

The act of March 3, 1901, chap. 868, entitled "An act to amend section 6, chapter one hundred and nineteen, United States statutes at large, numbered 24."

"Be it enacted, etc., That section 6 of chapter 19 of the United States statutes at large, numbered twenty-four, page three hundred and ninety, is hereby amended as follows, to wit: after the word 'civilized life' in one thirteen of said section six insert the words 'and every Indian in Indian Territory.'"

There is no repealing clause attached to this amendment and if it repeals any of the act to which it is amendatory it must be by conflict or repugnance.

"If two statutes on the same subject are mutually repugnant the later act without any repealing clause operates in the absence of expressed intent to the contrary, as a repeal of the earlier one."

(Wood vs. U. S., 16 Pe. (U. S.) 342; Davis vs. Fairburn, 3 How. (U. S.) 626; Hendetta Min. Co. vs Gardner, 173, U. S. 123.)

"In order that an implied repeal may result from the principles now under consideration, the repugnance appearing in the two statutes must be wholly irreconcilable."

(Chamberlain vs. State, 59 Ark. 137.)

(Thompson vs. State 69 Ark. 59.)

"Hence every effort must be used to make all acts stand and the later act will not operate as a repeal of the earlier one if by any reasonable consideration they can be reconciled."

U. S. vs. Tynan, 11 Wall (U. S.) 88.; (District of Columbia vs. Huston, 143 U. S., 18.)

Hendetta Mining Co. vs. Gardner supra.)

"Statutes should be construed as cumulative rather than exclusive." (Chamberlain vs. State, 59 Ark. 137.)

This amendment of 1901 read into section 6 of that statute of 1887 must be construed if possible with the other provisions of that act and all parts made effective if such be done.

Section 8 of that act reads as follows: "That the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles and Osage, Miami, and Peorias, and Saks and Foxes, in the Indian Territory, nor to any reservation of the Seneca Nation or New York Indians in the state of New York, nor to that strip of country in the state of Nebraska adjoining the Sioux Nation on the south by executive order."

The entire statute must be construed as though the amendment was originally enacted into the original statute.

(McEwen vs. Den., 24 How. U. S., 242.)

(U. S. vs. Sopinkaw, 99 Fed. Rep. 654.)

Would not the construction placed on this statute then be that "every Indian" as used in the amendment should only apply to those Indians not within the territorial limits of the nations or tribes included within the exceptions included in section 8.

The general rule of construction is "That construction is favored which gives effect to every part of the statute thus producing a consistent and harmonious whole. A construction which would leave without effect any part of the language used should be rejected if an interpretation can be found which will give it effect."

(The Emily, 9 Wheat, U. S., 351.)

(Montclair vs. Rounsdel 19 U. S. 147.)

"When there is an irreconcilable conflict between different parts of the same act, the last in order of position must control."

(In re Richards 96 Fed. Rep. 939.)

"But, it is an old and familiar rule that when there is in the same statute

a particular enactment and also a general one, which in its most comprehensive sense would include what is embraced in the former, the particular enactment must be operative and the general enactment must be taken to effect only such cases within its general language as are not within the provisions of the particular enactment."

(Pennington vs. Cox 2 Crouche, U. S., 341.)

(In re Rouse, C. C. A. 91 Fed. Rep. 96.)

(U. S. vs. Garretson, 42 Fed. Rep. 22.)

U. S. vs. Buffalo Park, 16 Blatchford U. S., 190.

Seelye vs. Knox 2 Woods, U. S. 370.)

Under the revenues laws this question has been universally construed as above quoted, see,

(Homer vs. Collector 1st Wall, U. S., 486.)

Arthur vs. Lahey, 96 U. S., 112.)

Arthur vs. Stephani, 36 U. S., 125.)

Arthur vs. Rennie, 98 U. S., 143.)

Robertson vs. Glendening, 132 U. S., 159.)

(Suburger vs. Cohen, 137 U. S., 97.)

If these well established rules of construction were to be applied, that is to say, if the statute as amended was to be construed as though the amendment had been originally enacted into the statute and the entire act taken together construed, would not the general clause, "and every Indian in Indian Territory" fall before the specific exceptions in the subsequent provisions "that the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, etc.," and effect only those Indians living outside these nations.

That is to say the Quapaws, the Ottawas, the Shawnees, the Wyandottes and others. The secretary of the interior and congress have evidently followed this construction and the courts are very likely to follow it.

L. S. DOLMAN.

Recommends Kelsey's Removal.

By Associated Press.

Albany, N. Y., Feb. 20.—Governor Hughes this morning sent a special message to the senate recommending the removal of state superintendent of insurance, Otto Kelsey, because "he has conspicuously failed to perform obvious duties of first importance."

Immigration Bill Signed.

By Associated Press.

Washington, Feb. 20.—The president today signed the immigration bill.

TERRITORY BREVITIES.

Lawton—Ayer Cross, principal of the Walters schools, was in the city, and says Walters is preparing to make an effort for the Comanche county school.

Shawnee—Judge Garbar opened district court in this county today, empanelling a grand jury. Judge Barwell will preside after this week, he being at Enid now.

Muskogee—At a meeting of the city council last night an ordinance was presented asking for the right to construct, operate and maintain a telephone line in the city to be known as the Oklahoma State Telephone company.

Shawnee—Mrs. Robert Hinkle, mother of Mrs. Guy Babcock, was found lying unconscious beside the road near the city this morning, and she can not survive. She had started for the Shawnee Indian mission for the day, and her horse and buggy were found unhurt near where she lay. She is still unconscious.

Lawton—Two strangers entered the general merchandise store of F. S. Carson at Cache, twelve miles west of Lawton, at an early hour this morning and made their way into the iron safe. They secured little money and a few checks. They lost no time in leaving the little town, having a handcar near at hand.

U. T. Rexroat and B. C. Ricketts have returned from an extended trip to points in Arizona.

## PRESIDENT'S POWER SHOWN

EXAMPLE OF SWAY PRESIDENT  
HAS OVER CONGRESS.

## THE CHILD LABOR STUDY

House Committee Puts \$150,000 Item  
in Sundry Civil Bill—Action that  
Congress' Authority to Legislate  
on Question is Denied.

Washington, Feb. 19.—The House committee on appropriations, by inserting an item of \$150,000 in the sundry civil bill to enable the census bureau to study the subject of child labor, gave a luminous example of this immense sway which the president has over congress.

The judiciary committee of both houses have affirmed that congress has no authority to legislate on the subject of child labor. The appropriations committee was reminded of this fact, and asked why the government should spend \$150,000 to investigate a question over which it had no legislative jurisdiction. The somewhat surprising answer was given that the president earnestly desired this appropriation, believing that when the evil of child labor shall have been exposed to the country there will be such an aroused of public sentiment as will compel congress to act.

Most of the Republican members who voted for this appropriation had seriously expressed the opinion that the subject is one which congress has nothing to do with, and they excused their votes with the plea that the president greatly desired that the appropriation should be made.

Five minutes later the committee mocked itself. The item appropriating \$150,000 for the gauging of streams to determine their capacity for irrigation and for developing water power was reached. Twelve years of precedent spoke for this item, but after a few of the members had declared that the gauging of streams is properly the work of the individual states, it was stricken out.

Southern members of the committee admitted that stream gauging is properly the work of the states, but expressed some disappointment that the fact was discovered just as the work was to be begun in the South and West.

The question of child labor is to be studied by special agents from the bureau of the census, within the amount of appropriation. Indications are that the study is to be an exhaustive one.

### REQUISITION FOR PIERCE.

Gov. Folk Gives Attorneys for Oil  
Magnate to Bring Him In.

Jefferson City, Mo., Feb. 19.—Gov. Folk today postponed the hearing on the requisition for H. Clay Pierce of St. Louis, head of the Waters-Pierce Oil company, asked by the Texas authorities until tomorrow, to await the arrival of the sheriff of Travis county, Tex. Gov. Folk today told the attorneys for Mr. Pierce that unless they agreed to produce Pierce at Jefferson City within three days that he will immediately honor the requisition, as he has been assured by the attorney general that the papers are in the proper form.

Mr. Pierce is wanted by the Texas authorities to answer a charge of having made false affidavits.

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